



# Hellam Township Planning Commission Subdivision Plan Briefing

3A

<b>Application Number:</b>	SL-2023-02	<b>PC Meeting:</b>	July 13, 2023
<b>Applicant(s):</b>	Conrad Rhein	<b>Tax Map Parcel:</b>	KL-64B
<b>Property Owner(s):</b>	Robert H. & Cheryl A. Rhein	<b>Lot Size:</b>	Total 67.19 Acres
<b>Property Location:</b>	5970 Beidler Lane	<b>Zoning:</b>	RA

**Project Narrative:**

- The applicant is requesting approval of a subdivision plan, attached hereto as **Exhibit A**.
- In addition, waivers are being requested for the following:
  - §430-17.C(1)(a)[8] – Delineation of Woodlands
  - §430-33.C(3)(a)[3] – Improvements to existing street
  - §430-48.B – Landscaping (Street Trees)
- Modification Request for Stormwater Management Ordinance: Section 306.1.10 (Appendix C)

**Attached Exhibits:**

- Land Development Application, SL-2023-02.
- Waiver Requests.
- Engineer's review letter from Chad Peters at CS Davidson dated July 3, 2023.
- York County Planning Commission's review letter dated January 27, 2023.

**Property Characteristics:**

The subject property consists of one parcel containing 64.122 acres as shown on the Aerial Map attached hereto as **Exhibit B** in the Rural Agricultural Zone.

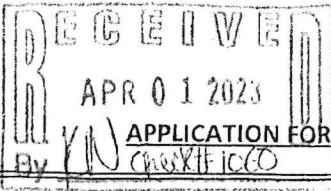
1. Adjacent properties:

	Use	Zoning
<b>North</b>	Residential & Rural Ag	RA
<b>South</b>	Residential & Rural Ag	RA
<b>East</b>	Residential & Rural Ag	RA
<b>West</b>	Residential & Rural Ag	RA

**Project Background:**

- The purpose of this subdivision is to create two parcels. One parcel being the two-acre lot proposed for a single-family dwelling.
- The subdivision plan was reviewed by Hellam Township Staff and York County Planning Commission. The Engineer's review letter is attached hereto as **Exhibit C**. York County Planning Commission's review letter is attached hereto as **Exhibit D**.

***This briefing represents the views and comments of the Hellam Township staff only and should not be construed as a final approval or denial of this application. The Planning Commission Members may have additional questions and/or comments with regard to this proposal. The applicant and/or his/her representative should be prepared to address comments or concerns raised by the Planning Commission Members.***



HELLAM TOWNSHIP

APPLICATION FOR CONSIDERATION OF A SUBDIVISION AND/OR LAND DEVELOPMENT PLAN

(For Township Use Only)

Township File No: SL-23-02 Date of Filing: 5/11/23 Deadline for Action: \_\_\_\_\_

Date of Revisions: \_\_\_\_\_ Date of Revisions: \_\_\_\_\_

Date of Revisions: \_\_\_\_\_ Date of Revisions: \_\_\_\_\_

The undersigned hereby applies for approval under the Hellam Township Subdivision and Land Development Ordinances for the Plan, submitted herewith and described below:

1. Proposed plan name: Robert H. & Cheryl A. Rhein

Tax map #: KL Tax parcel #: 6430 Plan #: L-6107 Plan date: 4/3/23

2. Project location: 5970 Beidler Road

3. Name of property owner(s): Robert H. & Cheryl A. Rhein

Address: 5970 Beidler Road York PA 17406 Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

4. Name of applicant (if other than owner): Conrad Rhein

Address: \_\_\_\_\_ Phone #: \_\_\_\_\_

Email: \_\_\_\_\_

5. Firm which prepared plan: Gordon L. Brown & Assoc. Inc.

Address: 2238 S. Queen St York PA 17402 Phone #: 717-741-4621

Person responsible for plan: Byron Trout, P.E.

Email: BTROUT@GLBA-Engineering.com

6. Application classification:

- Pre-application (Section 430-11)
- Preliminary plan (Section 430-12)
- Final plan (Section 430-13)
- Revised preliminary plan (Section 430-12.G)
- Revised final plan (Section 430-13.H.1)

7. Is a variance, special exception, conditional use or waiver approval necessary or has one been acquired for this property? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. Land use and number of lots and/or units (indicate answer by numbers of lots or units:)

Residential:

- Single Family
- Multi Family
- Commercial/Industrial
- Interchange
- Mixed Use 1
- Mixed Use 2
- Mobile Home Park
- Other (Please specify below)

9. Total acreage: 64.122 Ac. (Gross) 60.096 Acres (Net)

10. Lineal feet of new street proposed 0

11. Type of water proposed:

- Individual
- Public
- Semi public
- Capped

12. Type of sanitary sewage disposal proposed:

- Individual
- Public
- Semi public
- Capped

13. Sewer facilities plan revision or supplement number \_\_\_\_\_  
and date submitted \_\_\_\_\_

The undersigned hereby represents that, to the best of his knowledge and belief, all information listed above is true, correct, and complete.

Date: 4/3/23

*Ray W. Smith*

Signature of Landowner/Applicant/Agent \*

\* If other than owner, authorization to sign must be attached.

Revision  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner or Applicant

Revision  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner or Applicant

Revision  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner or Applicant

Revision  
Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Landowner or Applicant

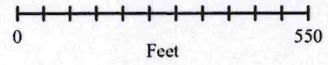


# Parcel - 31000KL0064B000000



**Owner - RHEIN ROBERT H & CHERYL A**  
**Property Address - 5970 BEIDLER RD**  
**Tax Municipality - Hellam Twp**  
**School District - Eastern School District**  
**Class - Farm**  
**Land Use - F - Crops & General Farming**  
**Acres - 67.19**  
**Assessed Land Value - \$ 41,500**  
**Assessed Building Value - \$ 332,020**  
**Assessed Total Value - \$ 373,520**  
**Sale Date - Jun. 02, 2005**  
**Sale Price - \$ 1,650,000**  
**Deed Book - 1729, Page 0404**

Layers should not be used at scales larger than 1:2400 (Note: Pixilation will occur at scales 1" = below 200 Ft.)



1 inch = 350 ft 1:4,200

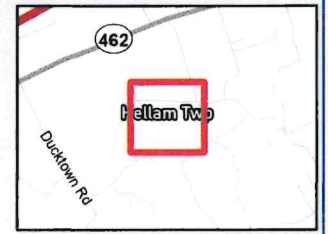
- Legend**
- Land Joins
  - Selected Parcel
  - Parcels
  - Municipal Boundary

Aerial Photography - 2021

Last Updated: 12/22/2022



Inset Map



Disclaimer: The York County Planning Commission provides this Geographic Information System map and/or data (collectively the "Data") as a public information service. The Data is not a legally recorded plan, survey, official tax map, or engineering schematic and should be used for only general information. Reasonable effort has been made to ensure that the Data is correct; however, the Commission does not guarantee its accuracy, completeness, timeliness. The Commission shall not be liable for any damages that may arise from the use of the Data.

Exhibit B

# HELLAM TOWNSHIP

## APPLICATION FOR

### CONSIDERATION OF A WAIVER

(For Township Use Only)

Plan No. \_\_\_\_\_

Date of Receipt/Filing: \_\_\_\_\_

The undersigned hereby applies for approval of a waiver, submitted herewith and described below:

1. Name of project: Robert H. & Cheryl A. Rhein Subdivision

2. Project location: 5970 Beidler Road

York, PA 17406

3. Name of property owner(s): Robert H. & Cheryl A. Rhein

Address: 5970 Beidler Road Phone Number:                     

York, PA 17406

4. Consulting engineering firm: Gordon L. Brown & Associates, Inc.

Name of project manager: Byron Trout

Address: 2238 South Queen Street Phone Number: 717-741-4621

York, PA 17402

5. Specify section(s) of the Hellam Township Subdivision and Land Development Ordinance for which a Waiver is requested:

1. 430-17.C.(1)(a.)[8]; 2. 430-33.C.(a.)[3]; 3. 430-48.B;

4. Modification of 306.I.10 (Appendix C)

6. The proposed alternative to the requirement:

1. Identify the existing tree line only. 2. No improvements to Beidler Rd and

Stricklers School Rd. 3. No street trees. 4. Perform second infiltration tests at time of

infiltration trench construction.

7. Justification for the Waiver:

1. The existing tree lines have been shown on the plan and no trees will be cleared for development of Lot 1 and 2. 2. The immediate area is rural and no part of Beidler Road or adjacent streets have curbing or paved shoulder. 3. Since the site is primarily an active farm, street trees would decrease the farmable land area and because of the length of lot frontage the number of trees would be excessive. 4. The second infiltration test will be deferred to when infiltration trenches are being excavated.

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8. Identification of Plans, Reports, or Supplementary Data, which are part of the Application:

GLBA Dwg. No. L-6107

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The undersigned hereby represents that, to the best of his/her knowledge and belief, all information listed above is true, correct and complete.

\* Signature:  Date: 4/26/23

**\* If other than property owner, authorization from owner to sign must be attached.**



July 3, 2023

Jason Test, Township Zoning Officer  
44 Walnut Springs Road  
York, PA 17406

RE: Robert H. & Cheryl A. Rhein  
**Final Subdivision Plan**  
Hellam Township, York County, PA  
Engineer's Project No. 1253.3.18.07

Dear Mr. Test:

I have reviewed the above-referenced final subdivision plan and offer the following comments:

**Summary of information provided for review is as follows:**

- Robert H. & Cheryl A. Rhein Final Subdivision plan, prepared by Gordon L. Brown & Associates, Inc, dated April 3, 2023, last revised June 22, 2023.
- Robert H. & Cheryl A. Rhein Stormwater Management Plan, prepared by Gordon L. Brown & Associates, Inc, dated April 3, 2023, last revised June 22, 2023.
- Robert H. & Cheryl A. Rhein Erosion and Sediment Control Plan, prepared by Gordon L. Brown & Associates, Inc, dated May 8, 2023, last revised June 22, 2023.
- Stormwater Management Narrative Report, prepared by Gordon L. Brown & Associates, Inc, dated May 2023.

**I. Zoning Ordinance Comments:**

1. **Section 490-47-** No slopes steeper than 25% shall be constructed within 25 feet of an adjoining property. There appear to be slopes in excess of 25% being proposed along the western property line of Lot 2.

**II. Subdivision and Land Development Ordinance Comments:**

1. **Section 430-17.B.(15)** – The stream buffer for Kreutz Creek must be provided on the plans. The plan must include the Riparian Buffer for the tributary to the Kruetz Creek that travels north along the existing fence line found on lot 1.
2. **Section 430-17.C.(1)(a)[8]** – The plan must delineate the location of all lands containing living tree masses with a caliper of six inches or more at the height of four feet above grade and the location of all woodland reservations on the Official Map. The Applicant has formally requested a **waiver** from this requirement.
3. **Section 430-17.D.(13)** – The plan must include information pertaining to when the required permanent lot monuments and markers are to be set.
4. **Section 430-17.E** – Accompanying reports are required as indicated in this section of the ordinance.



C.S. DAVIDSON, INC.

5. **Section 430-18.F.(4)** – The statements of ownership must be signed, dated, and notarized prior to plan recording.
6. **Section 430-18.F.(14)** – Approval of the Erosion Control Plan associated with the proposed construction activities must be approved by the York County Conservation District (YCCD). The approval letter from YCCD is for a plan dated 5/24/23. The plan submitted to the Township with the latest submission is dated 6/22/23. The Erosion Control plan as approved by YCCD must be submitted for review.
7. **Section 430-18.F.(15)** – Since the plan proposes subdivision of a tract located within the Rural Agriculture Zone, it will be required by the Zoning Officer to determine the number of development rights attributable to the parent tract and the number of development rights which remain available for use. The plan currently only lists the rights of future subdivision and not TDRs.
8. **Section 430-20** – The Applicant will be required to provide financial security for all proposed improvements.
9. **Section 430-33.(C).(a).[3]** – Both Beidler Road (T-757) and Stricklers School Road (T-756) are required to be improved along the project frontage to a minimum of a 12-foot paved travel lane and 6-foot paved shoulder with curbing. The Applicant has formally requested a **waiver** from this requirement.
10. **Section 430-45** – All monuments and markers must be provided in accordance with this section of the ordinance.
11. **Section 430-48.B** – Street trees are required to be provided along the entire road frontage as outlined within this section of the ordinance. The Applicant has formally requested a **waiver** from this requirement.

### III. Stormwater Management Ordinance Comments:

1. **Section 301.D** – The approved Erosion Control Plan must be provided to the Township for review. The approval letter from YCCD is for a plan dated 5/24/23. The plan submitted to the Township with the latest submission is dated 6/22/23. The Erosion Control plan as approved by YCCD must be submitted for review.
2. **Section 301.M** – The Applicant is required to post financial security for all proposed Stormwater Management Facilities as shown on the Approved SWM plans.
3. **Section 305** – The plan must conform with the Hellam Township Riparian Buffer Ordinance (Chapter 360). The plan must include the Riparian Buffer for the tributary to the Krutz Creek that travels north along the existing fence line found on lot 1.
4. **Section 306.I.10 (Appendix C)** – At least two separate infiltration tests must be taken for each area proposed for infiltration. The Applicant has requested a **Modification** from this requirement and is requesting the second infiltration test be performed at the time of construction. The plan must now clearly specify how the proposed infiltration BMPs will be retrofitted in the event that acceptable infiltration rates are not witnessed at time of construction.





C.S. DAVIDSON, INC.

5. **Section 307.G** – A 20-foot-wide drainage easement must be provided for the length of Kreutz Creek within the parent tract. The current plan only shows an easement along the stretch of tributary of the Kreutz Creek running north along the existing fence line. This easement is required along all lengths of the creek within the boundaries of the parent tract.
6. **Section 310** – The approved Erosion Control Plan must be provided to the Township for review. The approval letter from YCCD is for a plan dated 5/24/23. The plan submitted to the Township with the latest submission is dated 6/22/23. The Erosion Control plan as approved by YCCD must be submitted for review.
7. **Section 401.C** – Provisions for permanent access and or maintenance for all physical SWM BMPs must be provided in accordance with this section of the ordinance. The note provided on Sheet One of the SWM Plan must be revised to include language pertaining to access by the municipality, as described within this section of the ordinance.
8. **Section 401.D** – The Municipal Approval Signature block listed in this section of the ordinance must be added to the plan and then signed upon approval of the plans. All required municipal signature blocks are to be placed on each page intended for recording, not just the cover sheet of the plan set.

#### IV. Riparian Buffer Ordinance Comments:

1. **Section 360-5** – The Riparian Buffer associated with Kreutz Creek must be delineated on the plans in conformance with this section of the ordinance. The plan must also include the Riparian Buffer for the tributary to the Kreutz Creek that travels north along the existing fence line found on lot 1.

#### General Comments:

2. We would request that after the recording of the approved record plans, the Applicant provides a copy of the newly prepared and recorded deeds for the new lot created.
3. Design drawings for the proposed "Rock Wall" must be provided for review. Top of wall and bottom of wall elevations must be added to the plans.
4. The provided roof leader conveyance calculations must be added to the official SWM Report, and a revision date added to the report

If you have questions related to the enclosed information or require any clarification, please do not hesitate to contact me directly at (717) 814-4516 or [cdp@csdavidson.com](mailto:cdp@csdavidson.com).

Respectfully,

A handwritten signature in black ink, appearing to read "Chad D. Peters".

Chad D. Peters, P.E.  
Township Engineer

CDP/nee

Copy to: File

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PLANNING  
COMMISSION

REPORT TO MUNICIPALITY OF REVIEW OF FINAL  
SUBDIVISION AND LAND DEVELOPMENT APPLICATION

April 18, 2023

Mr. Todd Trimmer, Chair  
Hellam Township Board of Supervisors  
471 Frysville Road  
York, PA 17406

Re: Robert H. & Cheryl A. Rhein  
Beidler Road/Stricklers School Road  
2 Lots – *Final Subdivision Plan*  
YCPC File #31-23-05-11-0077

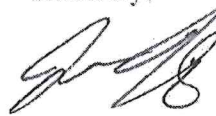
Dear Mr. Trimmer:

The above captioned Final Subdivision and Land Development application has been reviewed by the York County Planning Commission staff. Attached are comments made as a result of our review of the application. These comments are made in reference to the municipal ordinances and plans, the County Comprehensive Plan, and/or general planning concerns, and do not constitute approval or disapproval of this application. That decision rests solely with the municipality.

According to the Pennsylvania Municipalities Planning Code, upon the approval of a final plat, the developer shall within 90 days of such final approval, or 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later, record such plat in the York County Recorder of Deeds office. The York County Recorder of Deeds office shall not accept any plat for recording, unless such plat officially notes the approval of the governing body and review by the York County Planning Commission staff.

Please contact this office if there are any questions concerning this report.

Sincerely,



Jesse King  
Senior Planner

Encl. Copies of this review have been sent to:

- (X) Municipal Manager
- (X) Municipal Planning Comm. Chr.
- (X) Municipal Engineer
- (X) Municipal Zoning Officer
- (X) Applicant
- (X) Applicant's Surv./Engr.

Mary E. Coble  
Chairman

Sean P. Kenny  
Vice Chairman

Matthew Chronister  
Secretary

James J. Morris  
Treasurer

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Thomas W. Earp

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Director

Jeffrey L. Rehmeyer II  
Solicitor

EQUAL  
OPPORTUNITY  
EMPLOYER

ROBERT H. & CHERYL A. RHEIN  
Beidler Road/Stricklers School Road  
2 Lots – Final Subdivision Plan  
YCPC File # 31-23-05-11-0077

These comments refer to the Hellam Township Zoning Ordinance:

1. (s.490-47.) No slopes steeper than 25% shall be constructed within 25' of an adjoining property. There appear to be slopes of 33% proposed along the proposed western property line of Lot 2 within 25' of Lot 1.

These comments refer to the Hellam Township Subdivision and Land Development Ordinance:

1. The following information is required by the Ordinance to be shown on or provided with the plan:
  - a. (s.430-17.B.(3)) The location map should be revised for accuracy.
  - b. (s.430-17.B.(6)) Revise the UPI number for the existing parcel throughout the plan set (the correct Parcel number is **64B**).
  - c. (s.430-17.B.(12)) A deed plotting of the parent tract as it existed on September 5, 1996, and a plan note identifying all lots that were subdivided from the parent tract since September 5, 1996. If applicable, the plan shall note that the boundaries of the parcel to be subdivided are the same as those that existed on September 5, 1996, and that no new lots have been created from this parcel since that date.
  - d. (s.430-17.B.(14)) The description of existing lot line markers and monuments located along the perimeter of the entire existing property.
  - e. (s.430-17.C.(1)(a)[1][e]) Steep slope areas shall be specifically identified in categories of 15% to 25% and greater than 25%, if applicable.
  - f. (s.430-17.C.(1)(a)[4]) The classification of every watercourse shall be indicated on the site plan, along with the required buffer.
  - g. (s.430-17.C.(1)(b)[4]) The location of the existing on-lot septic system for the existing dwelling on Lot 1.
  - h. (s.430-17.E.(1)) A Natural and Cultural Features Impact Assessment.
  - i. (s.430-17.E.(2)) A Man-Made Features Impact Assessment.
  - j. (s.430-17.F.(7)) An application requesting the review by the York County Conservation District, and the required design data for review by the District.
  - k. (s.430-18.D.(1)) Complete description of the centerline and right-of-way line for all existing streets.
  - l. (s.430-18.F.(3)) A notice from PA DEP that a sewer facilities plan revision or supplement has been approved, or notice that a plan revision or supplement is not necessary.
  - m. (s.430-18.F.(4)) The statements of ownership must be signed, dated, and notarized.
  - n. (s.430-18.F.(15)) The determination of the Zoning Officer of the number of development rights attributable to the parent tract and the number of development rights which remain available for use.
2. (s.430-28.A.(1)) In no case may a change be made in the existing topography which would within a distance of 20' from a property line to the beginning of the slope result in increasing any portion of the slope. Township officials should determine if this would apply to the proposed western property line of Lot 2.
3. (s.430-30.B.) Wetland studies are required by this chapter.
4. (s.430-33.C.(1)(c)) Where a subdivision abuts an existing street, the required right-of-way widths shall be provided. A 50' right-of-way is required for Stricklers School Road.

5. (s.430-33.C.(3)(a)[3]) Existing roadways shall be curbed and widened in accordance with the requirements of this section. Local streets require a minimum 12' travel lanes with a 6' paved shoulder. This would apply to Beidler Road and Stricklers School Road.
6. (s.430-33.M.(6)) Clear sight triangles are required to be shown on the plan for all street intersections.
7. (s.430-48.B.) Street trees shall be provided along all road frontages.

General Comments:

1. A land join should be provided on the plan showing that the portions of Lot 1 on both sides of Beidler Road are the same parcel.
2. A new/revised legal description should be prepared for the newly subdivided lots and recorded with the plan so that the County Tax Map is updated.

*\*\* The preceding comments have been prepared by the staff of the York County Planning Commission and constitute a professional planning review, not a legal opinion.*